

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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JOSEPH H. GUSKY,

Plaintiff,

v.

SCHEDULING ORDER  
07-CV-275

MICHAEL J. ASTRUE,

Defendant.

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The following scheduling order shall apply to this Social Security matter:

1. The United States Attorney shall file and serve, on or before December 11, 2007, an appropriate motion for summary judgment or judgment on the pleadings, with brief in support of the motion. Plaintiff shall file and serve a response to defendant's motion on or before February 11, 2008. Defendant shall file and serve a reply brief on or before February 25, 2008. Oral argument on defendant's motion shall be on March 14, 2007 at 9:00 a.m. All papers must be received and filed by these dates in accordance with this Order. No extensions or adjournments will be granted unless good cause is shown.

2. This Order does not preclude either side from filing any appropriate motions at an earlier time.

The parties are encouraged to consider the provisions of 28 U.S.C.

§ 636(c), governing consent to complete disposition of the case (including trial, if necessary) by the Magistrate Judge. Attached hereto is a Notice of Right to Consent to Disposition of a Civil Case by a United States Magistrate Judge, together with a consent form, for consideration by the parties. Counsel are directed to discuss this option with their clients prior to the scheduled pretrial conference in this case and advise the Court at the conference.

SO ORDERED.

s/ Richard J. Arcara  
HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: July 19, 2007